CRIM. NO. 1:16-CR-212

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA) CRIM. NO. 1:16-CR-212
v.) (Chief Judge Conner)) (Chief Magistrate Judge Carlson
KEVIN COLES)
MOTION FOR DETENTION	
AND NOW comes the United States of America, by its undersigned	
counsel and, pursuant to Title 18 U.S.C., Section 3142, hereby requests	
detention of the above-named defendant, and sets forth in support	
thereof:	
1. That the government is	entitled to a detention hearing based
upon the following:	
a. Defendant is charg	ged with a crime of violence as defined

in Title 18 U.S.C. Section 3156 or an offense listed in

Title 18 U.S.C. 2332b(g)(5)(B) for which a maximum

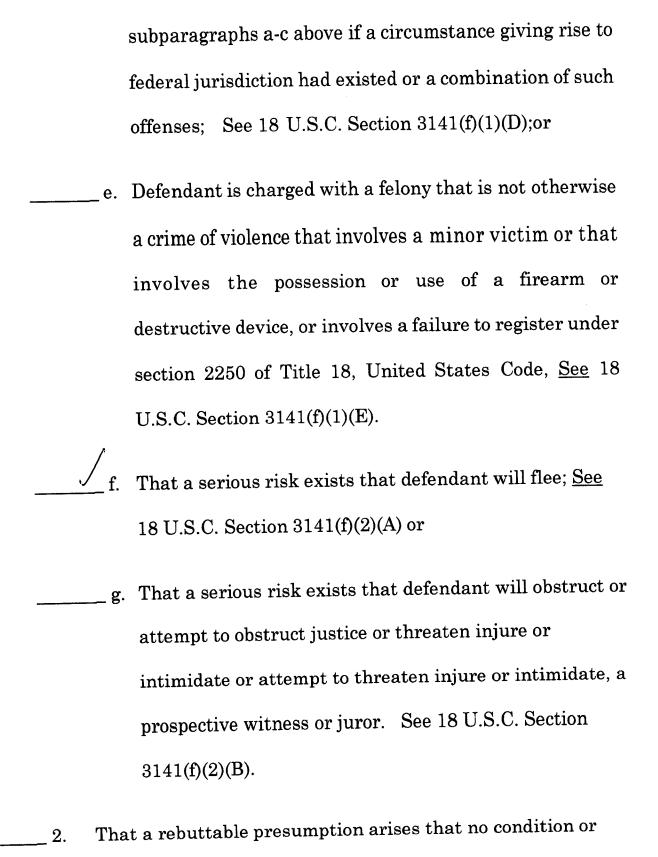
term of imprisonment of 10 years or more is prescribed

See 18 U.S.C. Section 3141(f)(1)(A); or

b. Defendant is charged with an offense for which the maximum sentence is life imprisonment or death See 18 U.S.C. Section 3141(f)(1)(B); or of imprisonment of 10 years or more is prescribed in the Controlled Substances Act (Title 21, U.S.C., Section 801 et seq.), or Section 1 of the Act of September 15, 1980 (Title 21, U.S.C., Section 955a); See 18 U.S.C. Section 3141(f)(1)(C) or

c. Defendant is charged with an offense for which a maximum term of imprisonment of 10 years or more is prescribed in the Controlled Substances Act (Title 21, U.S.C. Section 801 et seq.), or Section 1 of the Act of September 15, 1980 (Title 21, U.S.C., Section 955a); See 18 U.S.C. Section 3141(f)(1)(C) or

_d. Defendant is presently charged with a felony and has been convicted of two or more offenses described in subparagraph a-c above, or two or more state or local offenses that would have been offenses described in



combination of conditions will reasonably assure the safety of any other person and the community, in that:

- a. That defendant has been convicted of a federal offense described in subsection 1(a)-(d) above, or of a state or local offense that would have been an offense described in subsection 1(a)-(d) above if a circumstance giving rise to federal jurisdiction had existed;
- ____b. That the offenses described in paragraphs 1(a)-(d)
 above were committed while defendant was on release
 pending trial for a federal, state or local offense; and
- ____c. A period of not more than five years has elapsed since the date of defendant's conviction or release from imprisonment for the offenses described in paragraph 1(a)-(d) whichever is later. See 18 U.S.C. Section 3141(e).

appearance of defendant as required and the safety of the community, in that:

- ____c. Defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed or an offense involving a minor victim under Title 18, U.S.C., Sections 1201, 1591, 2241-42, 2244-45, 2251-52, 2260, 2421-23 or 2425. See 18 U.S.C. Section 3141(e).

- - _______a. Defendant is a danger to any other person or the community, and/or;
 - _____b. Defendant is a flight risk.
- _____5. The defendant is currently in custody on other matters. The
 United States requests the entry of a detention order at this
 time without prejudice to a full detention hearing in the event
 that the defendant's custodial status changes.

_____6. The United States requests a continuance of three days in which to prepare for a hearing on this motion.

Respectfully submitted,

PETER J. SMITH United States Attorney

Dated: September 8, 2016

BY:

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